UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,710	12/06/2000	Alan Edward Kaplan	Kaplan 2000-0066	7991

7590   07/07/2003

Henry T. Brendzel
P.O. Box 574
Springfield, NJ   07081

EXAMINER
ELAHEE, MD S

ART UNIT	PAPER NUMBER
2697	

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

<table>
<tr><td rowspan="2">Office Action Summary</td><td colspan="2">Application No.</td><td colspan="2">Applicant(s)</td></tr>
<tr><td colspan="2">09/730,710</td><td colspan="2">KAPLAN ET AL.</td></tr>
<tr><td></td><td colspan="2">Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td></td><td colspan="2">Md S Elahee</td><td>2697</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-36* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Objections

1.   Claims 15-19, 22 and 27 are objected to because of the following informalities: regarding claims 15-19 and 22, the phrase "The apparatus of claim 1" appears to be "The apparatus of claim 13". Appropriate corrections are required.

Regarding claim 27, on page 16, in line 29 and 30, the phrase "between said first port one of said POT CPE ports" appears to be "between said first port and one of said POT CPE ports". Appropriate corrections are required.

Claim Rejections - 35 USC § 112

2.   Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 13, 27 and 31, the phrase "decoding" lacks antecedent basis because, it is not disclosed in the specification.

Regarding claims 1, 13 and 28, the phrase "signaling detection" lacks antecedent basis because, it is not disclosed in the specification.

Regarding claims 19, the phrase "decoded" lacks antecedent basis because, it is not disclosed in the specification.

Regarding claims 22 and 23, the phrase "signaling detector" lacks antecedent basis because, it is not disclosed in the specification.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Swan et al. (U.S.

Patent No. 6,134,320).

Regarding claims 1 and 13, Swan teaches a line interface coupled to the first tip and ring

leads for decoding the incoming calls (fig.3a, fig.3b; col.6, lines 15-21; 'line interface' reads on

the claim 'first module', 'tip and ring leads' reads on the claim 'first port' and 'incoming calls'

reads on the claim 'special service messages').

Swan further teaches telephone terminals' tip and ring leads (fig.3a, fig.3b; col.6, lines

15-21; 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port').

Swan further teaches an on-hook/off-hook switch interposed between said first tip and

ring leads and the telephone terminals' tip and ring leads (fig.3a, fig.3b; col.6, lines 15-21; 'on-

hook/off-hook switch' reads on the claim 'switch', 'tip and ring leads' reads on the claim 'first

port' and 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port').

Swan further teaches a processor, responsive to the line interface, for controlling state of

the on-hook/off-hook switch based on information contained in the incoming calls (fig.3a, fig.3b;

col.6, lines 15-21; 'processor' reads on the claim 'second module', 'line interface' reads on the

claim 'first module', 'on-hook/off-hook switch' reads on the claim 'switch' and 'incoming calls'

reads on the claim 'special service messages').

Swan further teaches a parallel set detector responsive an off-hook condition at the telephone terminals' tip and ring leads for applying an off-hook detection signal to the processor (fig.3a, fig.3b; col.6, lines 15-21, col.7, lines 3-6; 'parallel set detector' reads on the claim 'signaling detection module', 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port' and 'processor' reads on the claim 'second module').

Regarding claim 2, Swan teaches that the incoming calls contain a particular person (col.5, lines 18-22; 'incoming calls' reads on the claim 'special service messages' and 'particular person' reads on the claim 'called number information').

Regarding claim 3, Swan teaches that one or more incoming calls are embedded in an alert signal (col.5, lines 18-28; 'incoming calls' reads on the claim 'special service messages' and 'particular person' reads on the claim 'called number information').

Regarding claim 4, Swan teaches that the alert signal contains ringing signal bursts within a ringing cycle (col.5, lines 18-28).

Regarding claim 5, Swan teaches that the processor includes an associated memory, and control the state of the on-hook/off-hook switch based on information stored in the memory and information contains in the incoming call (fig.3a, fig.3b; col.6, lines 15-21, col.9, lines 47, 48; 'processor' reads on the claim 'second module', 'on-hook/off-hook switch' reads on the claim 'switch' and 'incoming call' reads on the claim 'special service message').

Regarding claim 6, Swan teaches a TOD clock coupled to the processor, to assist the processor in its control of the state of the on-hook/off-hook switch (col.6, lines 15-21, col.7, lines 8-11; 'TOD clock' reads on the claim 'clock', 'processor' reads on the claim 'second module' and 'on-hook/off-hook switch' reads on the claim 'switch').

Regarding claim 7, Swan teaches that the TOD clock generates time related services (col.7, lines 8-11; 'TOD clock' reads on the claim 'clock' and 'time related services' reads on the claim 'time and date information').

Regarding claim 8, Swan teaches that the incoming call comprises a selective ringing (col.8, lines 20-42; 'incoming calls' reads on the claim 'special service messages' and 'selective ringing' reads on the claim 'coded ringing signal').

Regarding claim 9, Swan teaches a ring generator responsive to the processor, for applying a ringing signal to the telephone terminals' tip and ring leads (fig.3a, fig.3b; col.7, lines 27-34, col.8, lines 20-42; 'ring generator' reads on the claim 'ringing signal generator', 'processor' reads on the claim 'second module' and 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port').

Regarding claim 10, Swan teaches that the ringing signal is a selective ringing (col.8, lines 20-42; 'selective ringing' reads on the claim 'coded ringing signal').

Regarding claims 11 and 25, Swan teaches that the incoming calls indicate that a connection with the apparatus is sought to be established to an intended recipient (col. 7, lines 8-11, col. 9, lines 10-18; 'incoming calls' reads on the claim 'special service messages' and 'intended recipient' reads on the claim 'called number that is listed in a directory that is accessible to everyone').

Swan further teaches that the incoming calls indicate that a connection with the apparatus is sought to be established to an intended recipient (col. 7, lines 8-11, col. 9, lines 10-18; 'incoming calls' reads on the claim 'special service messages' and 'intended recipient' reads on the claim 'called number that is unlisted in a directory').

Swan further teaches that the incoming calls indicate the calling number that seeks to establish a connection with the apparatus (col. 7, lines 8-11, col. 9, lines 10-18; 'incoming calls' reads on the claim 'special service messages').

Swan further teaches that the ringing signal is selected to indicate Time Of Day (TOD) clock (col. 7, lines 8-11, col. 9, lines 19-35; 'ringing signal is selected' reads on claimed 'said ringing signal is coded').

Swan further teaches that the ringing signal is selected to indicate calls at user's discretion (col. 7, lines 8-11, col. 9, lines 19-35; 'ringing signal is selected' reads on claimed 'said ringing signal is coded' and 'calls at user's discretion' reads on the claim 'type of call').

Regarding claims 12, 26 and 35, Swan teaches call is selected based on the incoming caller CLID information (col. 9, lines 19-35; 'call is selected' reads on claimed 'type of call is taken' and 'the incoming caller CLID information' reads on the claim 'collect call, cellular calls, international calls, fax calls, modem calls, and credit card calls').

Regarding claims 14, Swan teaches that the intended recipient information is embedded in an alert signal with a distinctive ringing cadence for different recipients (col.8 lines 20-42; 'intended recipient information' reads on the claim 'called number information' and 'alert signal with a distinctive ringing cadence for different recipients' reads on the claim 'alerting signal in the form of ringing signal bursts within a ringing cycle').

Regarding claim 15, Swan teaches a display responsive to the processor (fig.3a, fig.3b; col.6, lines 61-64; 'processor' reads on the claim 'second module').

Regarding claims 16 and 28, Swan teaches a parallel set detector connected to the telephone terminals' tip and ring leads for applying an off-hook detection signal to the processor

(fig.3a, fig.3b; col.6, lines 15-21, col.7, lines 3-6; 'parallel set detector' reads on the claim 'off hook detector', 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port' and 'processor' reads on the claim 'second module').

Regarding claim 17, Swan teaches that the line interface inherently detects called number information in the incoming calls (fig.3a, fig.3b; col.6, lines 15-21; 'line interface' reads on the claim 'first module' and 'incoming calls' reads on the claim 'special service messages').

Regarding claim 18, Swan teaches that the incoming signal is in the form of distinctive ringing cadence for different recipients (col.8 lines 20-42; 'incoming signal' reads on the claim 'special service message' and 'distinctive ringing cadence for different recipients' reads on the claim 'digital information preceding, or following a first ringing signal burst').

Regarding claims 19 and 33, Swan teaches that the processor compares information decoded by the line interface from the incoming call to one or more pre-stored numbers within the processor (fig.3a, fig.3b; col.6, lines 15-21, col.8, lines 52-64; 'processor' reads on the claim 'second module', 'line interface' reads on the claim 'first module' and 'incoming call' reads on the claim 'special service message').

Regarding claim 20, Swan teaches that the line interface detects an incoming call that includes a number to be stored, and causes the processor to store the number so as to include the stored number among the one or more pre-stored numbers (fig.3a, fig.3b; col.6, lines 15-21, col.8, lines 52-64, col.9, lines 47, 48; 'line interface' reads on the claim 'first module' and 'incoming call' reads on the claim 'special service message' and 'processor' reads on the claim 'second module').

Regarding claim 21, Swan teaches that the number to be stored arrives at the processor in the same signaling format that all other incoming calls have (fig.3a, fig.3b; col.6, lines 15-21, col.8, lines 52-64, col.9, lines 47, 48; 'processor' reads on the claim 'second module' and 'incoming calls' reads on the claim 'special service messages').

Regarding claim 22, Swan teaches a ring detector, responsive to signals from the telephone terminals' tip and ring leads, for receiving a number to be stored in the processor (fig.3a, fig.3b; col.6, lines 15-21, 56-64, col.9, lines 47, 48; 'ring detector' reads on the claim 'second signaling detector', 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port' and 'processor' reads on the claim 'second module').

Regarding claim 23, Swan teaches a ring detector, is responsive to ring signals from the telephone terminal (fig.3a, fig.3b; col.6, lines 15-21, 56-64; 'ring detector' reads on the claim 'second signaling detector', 'telephone' reads on the claim 'CPE' and 'ring signals' reads on the claim 'DTMF or pulse signaling').

Regarding claim 24, Swan teaches a hardware address (col.7, lines 21-23).

Regarding claim 27, Swan teaches a line interface coupled to the first tip and ring leads for decoding the incoming calls (fig.3a, fig.3b; col.6, lines 15-21; 'line interface' reads on the claim 'first module', 'tip and ring leads' reads on the claim 'first port' and 'incoming calls' reads on the claim 'special service messages').

Swan further teaches telephone terminals' tip and ring leads (fig.3a, fig.3b; col.6, lines 15-21; 'telephone terminals' tip and ring leads' reads on the claim 'plurality of POT CPE ports').

Swan further teaches a plurality of internal switches interposed between said first tip and ring leads and the telephone terminals' tip and ring leads (fig.2a, fig.3a; col.6, lines 15-21, 49-52,

col.11, lines 9-13; 'internal switches' reads on the claim 'switches', 'tip and ring leads' reads on the claim 'first port' and 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE ports').

Swan further teaches a processor, responsive to the line interface, for controlling state of the internal switch based on information contained in the incoming calls (fig.3a, fig.3b; col.6, lines 15-21, 49-52, col.11, lines 9-13; 'processor' reads on the claim 'second module', 'line interface' reads on the claim 'first module', 'internal switch' reads on the claim 'switch' and 'incoming calls' reads on the claim 'special service messages').

Regarding claim 29, Swan teaches at least one of internal switches is a normally closed switch (fig.2a, fig.3a; col.6, lines 15-21, 49-52, col.11, lines 9-13; 'internal switches' reads on the claim 'switches').

Regarding claim 30, Swan teaches at least one of internal switches is a normally open switch (fig.2a, fig.3a; col.6, lines 15-21, 49-52, col.11, lines 9-13; 'internal switches' reads on the claim 'switches').

Regarding claim 31, Swan teaches a line interface coupled to the first tip and ring leads for decoding the incoming calls embedded in the alerting signal (fig.3a, fig.3b; col.5, lines 18-28, col.6, lines 15-21; 'line interface' reads on the claim 'first module', 'tip and ring leads' reads on the claim 'first port' and 'incoming calls' reads on the claim 'special service messages').

Swan further teaches a series connection of a ringer and a ringer switch, across the tip and ring leads (fig.3a, fig.3b; col.6, lines 15-21; 'tip and ring leads' reads on the claim 'first port').

Swan further teaches a series connection of telephone circuitry and a internal switch, across the first tip and ring leads and telephone terminals' tip and ring leads (fig.2a, fig.3a; col.6,

lines 15-21, 49-52, col.11, lines 9-13; 'internal switch' reads on the claim 'hook switch' and 'first tip and ring leads and telephone terminals' tip and ring leads' reads on the claim 'two terminals').

Swan further teaches a processor, responsive to the line interface, for controlling state of the ring generator (fig.3a, fig.3b; col.6, lines 11-21, col.8, lines 20-42; 'processor' reads on the claim 'second module', 'line interface' reads on the claim 'first module' and 'ring generator' reads on the claim 'ringer switch').

Regarding claim 32, Swan teaches identifying the intended recipient information is embedded in the alerting signal (col.8 lines 20-42; 'intended recipient information' reads on the claim 'called number ID').

Swan further teaches comparing the intended recipient information to at least one pre-stored number (col.8, lines 52-64; 'intended recipient information' reads on the claim 'called number ID').

Swan further teaches that ascertaining whether at least one other call attribute is met (col.7, lines 8-11, col.8, lines 52-64; 'intended recipient information' reads on the claim 'called number ID').

Swan further teaches applying a ringing signal to the telephone terminals' tip and ring leads when the at least one other call attribute is met and the intended recipient information matches one of the at least one pre-stored numbers (fig.3a, fig.3b; col.7, lines 27-34, col.8, lines 20-42, 52-64; 'telephone terminals' tip and ring leads' reads on the claim 'POT CPE port' and 'intended recipient information' reads on the claim 'called number ID').

Regarding claims 34 and 36, Swan teaches that at least one call attribute includes the incoming caller CLID information (col. 9, lines 19-35; 'the incoming caller CLID information' reads on the claim 'any one or more from a set that includes caller ID, called number ID, time of day, date, and type of call').

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703)305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

M. E.
MD SHAFIUL ALAM ELAHEE
June 26, 2003

JOSEPH MANCUSO
PRIMARY EXAMINER